



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	§	Atty. Dkt. No.: 041443-00752
Eva Ackerman and Randy Gene Clark	§	
	§	Group Art Unit: 2831
Serial No.: 09/764,572	§	
	§	Examiner: Patel, Dhirubhai R.
Filed: January 18, 2001	§	
	§	
For: A Method of Assisting a	§	
Compromised Barrier	§	

**RESPONSE TO FINAL OFFICE ACTION DATED SEPTEMBER 22, 2004,
AND REQUEST FOR WITHDRAWAL OF FINALITY OF REJECTION**

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is in response to the Office Action dated September 22, 2004.

REMARKS

Claims in the Application. Claims 23-27, 37-38, and 40 are active in this application.

Request to Withdraw the Finality of the Rejection. The Examiner is requested to *withdraw* the finality of the rejection. The Examiner has applied *two* new grounds of rejection in the Office Action.

Paragraph 5 of the Office Action sets forth a rejection of the claims under 35 U.S.C. § 103(a) over U.S. Patent No. 6,521,834 ("*Dykhoff*") in view of U.S. Patent No. 6,153,674 ("*Landin*"). This is a new ground of rejection which was not previously made.